

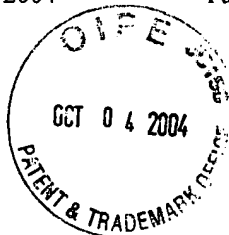


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 P.O. Box 1450
 Alexandria, Virginia 22313-1450
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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/792,074 | 03/03/2004 | Patrick Timothy Yerby | 2004-0047 |

Robert F. Frijouf
 Frijouf, Rust & Pyle, P.A.
 201 East Davis Boulevard
 Tampa, FL 33606



CONFIRMATION NO. 4218

FORMALITIES LETTER



OC000000012745437

07/26/04
 06/26/04

Date Mailed: 05/26/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

N. Mohammed

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT OFFICE**

IN RE APPLICATION:

| | | | |
|-------------|------------------------------|-----------|-----------|
| Title: | AEROSOL ACTUATOR | | |
| Applicant: | Patrick Timothy Yerby et al. | Art Unit: | 3754 |
| Serial No.: | 10/792,074 | Examiner: | - |
| Filed: | March 3, 2004 | File No: | 2004-0047 |

TRANSMITTAL OF MISSING DECLARATION

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

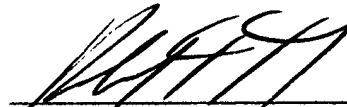
Pursuant to the Notice of Missing Part of Application under 37 CFR 1.53(d) from the United States Patent and Trademark Office for the subject pending patent application, Applicant encloses the following items:

1. A declaration and Power of Attorney.
2. Copy of Notice to File Missing Parts of Application filing date granted.
3. Please charge the surcharge of \$130.00 in accordance with the enclosed Credit Card Payment Form of the United States Patent and Trademark Office. The Commissioner

is hereby authorized to charge any additional fees which may be required, or credit any over payments to the enclosed Credit Card Number.

Respectfully submitted,

FRIJOUF, RUST & PYLE, P.A.



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Attorneys for Applicant

Deposit Account

Please charge all fees in accordance with the enclosed Credit Card Payment Form of the United States Patent and Trademark Office. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any over payments to the enclosed Credit Card Number.

Certificate of Mailing

It is hereby certified that the foregoing correspondence and fee is being placed in an envelope addressed to: Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450 and mailed by first class mail, postage prepaid, this 15 day of October, 2004.

